CLASSIFICATION OFFICE DECISION

Title of publication:	Thumbnail.jpg (1)
Other known title(s):	Not stated
OFLC ref:	2000221.019
Medium:	Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	09 September 2020
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	08 September 2020

Summary of reasons for decision:

The image file is a highly sexualised depiction of a partially nude girl. It is deemed objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 because it promotes and support the exploitation of children or young persons for sexual purposes. The image encourages and upholds the idea that young girls are sexually aware and legitimate subjects for adult sexual attention. The image is clearly intended for the titillation and arousal of those with a sexual interest in children or young persons. The digital format facilitates easy sharing among likeminded people. The objectionable classification of this image interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications which promote and support the exploitation of children or young persons be banned It is also reflects the concerns of a "free and democratic" society to protect its young and vulnerable members from exploitation.